

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION  
CLEVELAND, OHIO

MASSIMO LA ROSA,	)	CASE NO. 1:18-CV-00095
	)	
Plaintiff,	)	JUDGE DONALD C. NUGENT
	)	
v.	)	MAGISTRATE JUDGE THOMAS M.
	)	PARKER
JONATHAN ALLEN, et al.,	)	
	)	<b><u>DEFENDANT ABBIE CONANT'S</u></b>
Defendants.	)	<b><u>MOTION FOR EXTENSION OF</u></b>
	)	<b><u>TIME TO RESPOND TO</u></b>
	)	<b><u>PLAINTIFF'S MOTION FOR</u></b>
	)	<b><u>PRELIMINARY INJUNCTION</u></b>

Defendant Abbie Conant (“Ms. Conant”) respectfully moves this Court for an extension of time to respond to Plaintiff Massimo La Rosa’s Motion for Preliminary Injunction (the “Injunction Motion”), filed in the Cuyahoga County Court of Common Pleas on January 11, 2018, prior to the removal of this case. (Doc. No. 1-8). It is Ms. Conant’s understanding from a discussion with chambers that the Court is likely to set a briefing schedule for Plaintiff’s Injunction Motion, but out of an abundance of caution, and in the event the Court does not intend to set a briefing schedule, Ms. Conant respectfully requests that the Court permit her additional time to respond to the Injunction Motion.

Concurrent with the Injunction Motion, Plaintiff filed a Motion to File Exhibits Under Seal (the “Motion to Seal”) pertaining to the exhibits that would serve as evidentiary support for his Injunction Motion. (Doc. No. 1-7). Those exhibits have not been shared with Ms. Conant and presumably have not been shared with the Court. There has been no ruling to date on the Motion to Seal, thereby rendering the Injunction Motion incomplete.

As a result, Ms. Conant is unable to fully respond to the Injunction Motion. Because a vital component of a preliminary injunction analysis is Plaintiff's likelihood of success on the merits, Ms. Conant would be prejudiced by being required to respond to the Injunction Motion before having had the opportunity to review the alleged evidence supporting Plaintiff's Injunction Motion. *See O'Toole v. O'Connor*, 802 F.3d 783, 788 (6th Cir.2015).

Accordingly, Ms. Conant respectfully requests an extension of time to respond to Plaintiff's Injunction Motion through and including the date 14 days from the date the Court rules on this Motion for Extension of Time. A proposed order is attached for the Court's convenience.

Respectfully submitted,

/s/ Steven S. Kaufman

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed electronically on January 24, 2018.  
Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.  
Parties may access this filing through the Court's system.

/s/ Steven S. Kaufman  
Steven S. Kaufman  
*One of the Attorneys for Defendant Abbie  
Conant*